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Docket No.: 220305US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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ATTORNEYS AT LAW

GP 1745

RE: Application Serial No.: 10/091,502
Applicants: Yong CHE, et al.
Filing Date: March 7, 2002
For: SECONDARY POWER SOURCE
Group Art Unit: 1745
Examiner: Alejandro, R.

SIR:

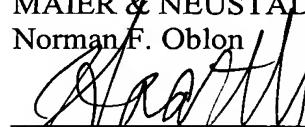
Attached hereto for filing are the following papers:

Supplemental Reply Brief (In Triplicate)

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 220305US0



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

YONG CHE, ET AL. : EXAMINER: ALEJANDRO, R.

SERIAL NO: 10/091,502 :

FILED: MARCH 7, 2002 : GROUP ART UNIT: 1745

FOR: SECONDARY POWER SOURCE :

SUPPLEMENTAL REPLY BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The Office communication dated April 14, 2004 appears to be a supplemental examiner's answer, which is improper according to 37 CFR 1.193(b)(1), since there has been no remand. However, to the extent the Board deems the Office communication procedurally proper, the present Supplemental Reply Brief is in rebuttal thereof.

The Examiner points to section 11 of the Examiner's Answer as responding to the arguments made in the Appeal Brief. In reply, Appellants maintain their position as reflected in the Reply Brief, and as can be verified by the Board by comparing the Examiner's Answer with the Final Rejection and the Advisory Action.

The Examiner suggests that it is improper to raise new issues, at first, in the Appeal Brief. In reply, Appellants have not raised new issues but to the extent any of their

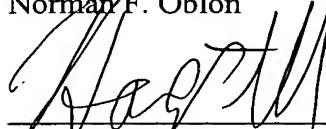
Application No. 10/091,502
Supplemental Reply Brief

arguments are new, they are in response to arguments raised in the Advisory Action, as stated in the Reply Brief. The Examiner has not sought to rebut Appellants' arguments.

Respectfully submitted,

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